THE BOMBAY LAND IMPROVEMENT SCHEMES ACT, 1942 (BOM. XXVIII OF 1942).

G. N., A. & F. D., No. 1707-II-G, dated 16th November 1949 (B. G., Pt. IV-B, p. 2107).

S. 24 Bombay I Improven Schemes Rules, 19

In exercise of the powers conferred by section 24 of the Bombay Land Improvement Schemes Act, 1942 (Bom. XXVIII of 1942), and in supersession of the Bombay Land Improvement Schemes Rules, 1943, the Government of Bombay is pleased to make the following rules, namely :—

1. *Short title.*—These rules may be called the Bombay Land Improvement Schemes Rules, 1949.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context—

(*a*) " Act " means the Bombay Land Improvement Schemes Act, 1942.

(*b*) " Form " means a form appended to these rules.

(*c*) Words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

3. *Notice of publication of scheme under section 5 (2).*—Simultaneously with the publication of a scheme under sub-section (*2*) of section 5 of the Act, the Board shall give a notice in Form No. 1 in English as well as in the regional language of the area to which the scheme relates, of the publication of the scheme to all persons affected thereby. The notice shall be given by affixing a copy thereof on the notice board in the office of the Collector and of the Mamlatdar or Mahalkari concerned and at conspicuous places in the village or villages affected by the scheme.

4. *Manner of publication of scheme under section 9 (2).*—On a scheme being sanctioned under sub-section (*1*) of section 9 of the Act, the Board shall publish it in the *Official Gazette* and in such local newspapers, if any, as it may decide and by affixing notices in Form II in English as well as in the regional language of the area to which the scheme relates on the notice boards in the offices of the Collector and of the Mamlatdar or Mahalkari concerned and at conspicuous places in the village or villages affected by the scheme.

5. *Preparation of statement under section 13 (1).*—The statement to be prepared under sub-section (*1*) of section 13 of the Act shall be in Form III and shall be sent by the Divisional Soil Conservation Officer to the Mamlatdar or Mahalkari concerned as soon as possible after the 1st day of April in each year.

6. (1) *Notice of entry upon land under section 16.*—The notice to be given by a person authorised by the Board or the Collector under section 16 of the Act shall be in Form IV and in the regional language of the area to which it relates.

(2) The notice shall be served on the owner, occupier or person interested in the land—

(*a*) personally by delivering or tendering it to him, or

(*b*) through his agent, if any, by delivering or tendering it to the agent, or

(*c*) by affixing a copy thereof to some conspicuous place on the land to which it relates, or

(*d*) by post.

7. (1) *Extent of enhancement of rent and conditions subject to which enhancement may be made under section 18.*—The owner of any land included in a scheme in any area in which levy of rent payable by a tenant is regulated under any law for the time being in force may, after three years from the date on which the scheme comes into force under section 10 of the Act, enhance the rent payable by a tenant in receipt of such land by not more than 10 per cent. of the rent payable on the date on which the scheme comes into force.

(2) If any such owner desires to enhance the rent by more than the said 10 per cent., he shall apply in writing to the State Government for the purpose.

(3) The State Government shall forward any application received under sub-rule (2), through th Collector, to the Mamlatdar or Mahalkari, within whose jurisdiction the land in respect of which the enhancement of rent is to be made is situated, for inquiry and report on the increase in the profits of agriculture consequent on the carrying out of works on the land under the scheme.

(4) On receipt of an application under sub-rule (3) the Mamlatdar or Mahalkari, as the case may be, shall after giving notice to the tenant of the land hold an inquiry in accordance with the provisions of Chapter XII of the Bombay Land Revenue Code, 1879, and make the required report through the Collector to the State Government.

(5) On receipt of the report under sub-rule (4) the State Government shall determine the extent of enhancement of rent which may be allowed and communicate its decision to the applicant.

8. *Manner in which documents, plans and maps relating to a scheme which has come into force shall be accessible to the public under section 19.*—Documents, plans and maps relating to a scheme which has come into force shall be open for public inspection at the office of the Mamlatdar or Mahalkari concerned at any time during office hours. Certified copies thereof shall be supplied on payment of the fees for certified copies prescribed in Chapter XXII of the Land Revenue Rules (1921).

FORM No. I.

(*See* Rule 3.)

Notice of publication of draft scheme.

Notice of publication is hereby given of the scheme prepared in accordance with the provisions of section 4 of the Bombay Land Improvement Schemes Act, 1942, providing*

for the land described below and situate in the village of

in the taluka/petha district.

Survey number and other description of lands.	Nature of works to be carried out.

All persons affected by the scheme who wish to make any claims or to submit any objections to the said scheme should do so in writing or by appearing personally before the Land Assistant who has been appointed as Inquiry Officer for the scheme on or before †

at

Dated the day of 19 .

(Signed)

Secretary of the Board.

* Description of scheme.

† Date not later than 21 days of publication of the scheme in the *Bombay Government Gazette*.

FORM No. II.

(*See* Rule 4.)

Notice of publication of the scheme.

Notice is hereby given that the scheme providing for*

for the lands described below and situate at the village of

of the taluka/petha district, has been sanctioned by the Board/State Government under sub-section (*1*) of section 9 of the Bombay Land Improvement Schemes Act, 1942. The Board has appointed

to execute it under sub-section (*1*) of section 11 of the said Act.

Description of Lands.	Works to be carried out.

Secretary of the Board.

* Description of scheme.

FORM No. III.

(*See* Rule 5.)

Village

Taluka or Petha

District

Rs. a. p.

Total cost recoverable ..

Total annual instalment ..

S. No. and/or Sub-division No.	Area.	Assessment.	Nature of work done.	Total cost of work done.	Total amount to be recovered from owner.
1	2	3	4	5	6

Period of recovery.	Year from which recovery should begin.	Annual instalment.	Person or persons liable to maintain and repair work individually or jointly.	Remarks.
7	8	9	10	11

FORM No. IV.

[*See* Rule 6 (1).]

Form of notice of entry upon land to be given to—

Owners of
Occupiers of
Other persons interested in
land under section 16

To

A. B., Esquire,

Owner of
Occupier of
Mortgagee
Permanent tenant
or other persons interested in

S. No.
Hissa No.
C. T. S. No.
Gaothan Plot No.

of village of taluka/petha district

Notice is hereby given that I, , being duly authorized under section 16 of the Bombay Land Improvement Schemes Act, 1942, by the Board constituted under section 3 thereof / Collector of to enter upon and survey and mark out the land and do all acts necessary for the purpose of preparing, sanctioning and executing a/the scheme, or repairing or maintaining any works under a/the scheme, under the said Act, intend to enter upon the land in the abovementioned

S. No.
Hissa No.
C. T. S. No.
Gaothan Plot No.

for the said purpose at on or after dated day of 19 .

Person authorised by Board / Collector under section 16 of the said Act.